

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES <p style="text-align: center;">v.</p> JEROME LASSITER)))))))	No. 04-10114-DPW
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MOTION TO CONTINUE

Defense counsel, John H. Cunha Jr., hereby moves this Court to continue the combined Rule 11/sentencing hearing in the above-named case beyond the scheduled date of February 14, 2005. As reasons herein, counsel states that a number of outstanding issues remain in this case which should be resolved with the government before proceeding to final disposition. The defendant cited these issues in his objections to the draft presentence report, which he filed on January 24, 2005. These objections were filed to protect the defendant's interests and his constitutional rights. They were not meant as a signal to the government that the defendant had rejected a change of plea and was moving for a trial. The defendant has made no such decision. The opportunity to resolve this case without the need for trial remains open. However, more discussion with the government is needed, including discussion of a plea agreement, for which no proposal has yet been presented to the defendant.

Counsel is currently defending another client in a criminal RICO trial, before Judge Saris, that is expected to continue into mid-March. Counsel is also aware that the attorney for the government in this case is expected to start a trial in a few weeks. Therefore, counsel requests that the combined Rule 11/sentencing hearing in this case be continued to a date in late March or early April, giving both parties sufficient time to resolve these issues.

JEROME LASSITER

By his attorney,

/s/ John H. Cunha Jr.

John H. Cunha Jr.

B.B.O. No. 108580

CUNHA & HOLCOMB, P.C.

One State Street, Suite 500

Boston, MA 02109-3507

617-523-4300

Dated: February 7, 2005